

REMARKS

With the entry of this Amendment, claims 10-17, 20 and 22 will be pending in this patent application.

In this paper, claims 18 and 19 have been canceled, claims 10, 14 and 20 have been amended, and claim 22 has been added.

OBJECTION TO CLAIMS

In this paper, Applicant has obviated the Examiner's objection to claim 14 by amending the claim to correct the typographical error kindly pointed out by the Examiner.

In view of the amendment to claim 14, Applicant requests that the objection be withdrawn.

SECTION 112, 2ND PARAGRAPH, REJECTION

Claims 10-21 were rejected under 35 USC § 112, second paragraph, as being indefinite. Applicant traverses this rejection.

Without acquiescing in the rejection, Applicant has amended claims 10 and 20 to recite --cartridge heater-- instead of "heating cartridge." Claim 1 has also been amended, in line 3, to recite --plunger-- instead of "actuating ram," in order to clarify the subsequent recitation of "a ram" in claim 10, the recitation of "the ram" in claims 15, 16 and 17 and the recitation of "the plunger" in claim 15.

Applicant submits that claims 10-21 fully comply with the requirements of 35 USC § 112, second paragraph, and therefore requests that this rejection be withdrawn.

PRIOR ART REJECTION I

Claims 10, 11, 15 and 21 were rejected under 35 USC § 102(b) as being anticipated by US 5026187 (Belanger et al.). Applicant traverses this rejection.

In this paper, claim 10 has been amended to recite subject matter that had been recited in claims 18 and 19. This rejection was not applied to claims 18 and 19 and has been rendered moot

by the amendments to claim 10. The rejection that was applied to claims 18 and 19 is discussed below under the heading PRIOR ART REJECTION V.

In view of the foregoing observations, Applicant requests that this rejection be withdrawn.

PRIOR ART REJECTION II

Claims 12 and 13 were rejected under 35 USC § 103(a) as being unpatentable over Belanger et al. in view of US 2005/00066413 A1 (Miyata et al.). Applicant traverses this rejection.

The Examiner's attention is directed to the discussion below under the heading PRIOR ART REJECTION V. Claims 12 and 13 depend from amended claim 10, which Applicant has shown to be patentable over the disclosures in Belanger et al. and Feldman applied by the Examiner.

The Examiner inferentially acknowledges that Belanger et al. does not meet the requirements of claims 12 and 13: "Belanger discloses the claimed invention except for the dispensing tip screwed onto a metal thread on the adhesive fluid cartridge." The Examiner cites Miyata et al. for its disclosure of "a dispensing tip (22) screwed on a metal thread on the adhesive fluid cartridge (11)," and concludes, "Therefore, it would have been obvious to one of ordinary skill in the art to implement Miyata's teaching into Belanger's because this would allow to user to reuse the dispensing tip, saving money."

Without acquiescing in the Examiner's proposal to combine the disclosures in Belanger et al. and Miyata et al., Applicant observes that there are no teachings in Miyata et al. that can remedy deficiencies in the Belanger et al. and Feldman disclosures vis-à-vis the requirements of amended parent claim 10, as pointed out above. Consequently, no combination of the teachings in Belanger et al. and Miyata et al. could yield a dispensing device meeting the requirements of claims 12 and 13.

In view of the foregoing observations, Applicant requests that this rejection be withdrawn.

PRIOR ART REJECTION III

Claim 14 was rejected under 35 USC § 103(a) as being unpatentable over Belanger et al. in view of US 6736290 B2 (Ichikawa et al.). Applicant traverses this rejection.

The Examiner's attention is directed to the discussion below under the heading PRIOR ART REJECTION V. Claim 14 depends from amended claim 10, which Applicant has shown to be patentable over the disclosures in Belanger et al. and Feldman applied by the Examiner.

The Examiner inferentially acknowledges that Belanger et al. does not meet the requirements of claim 14: "Belanger discloses the claimed invention except for wherein the dispensing tip is screwed on the dispensing device," and concludes, "However, Ichikawa et al. discloses the dispensing tip (114) is screwed on the dispensing device (144a) (Column 19, lines 34 - 40). Therefore, it would have been obvious to one of ordinary skill in the art to implement Ichikawa's teaching into Belanger's because this would allow the user to switch nozzles if they need to be cleaned or be changed if damaged."

Without acquiescing in the Examiner's proposal to combine the disclosures in Belanger et al. and Ichikawa et al., Applicant observes that there are no teachings in Ichikawa et al. that can remedy deficiencies in the Belanger et al. and Feldman disclosures vis-à-vis the requirements of amended parent claim 10, as pointed out above. Consequently, no combination of the teachings in Belanger et al. and Ichikawa et al. could yield a dispensing device meeting the requirements of claim 14.

In view of the foregoing observations, Applicant requests that this rejection be withdrawn.

PRIOR ART REJECTION IV

Claims 16 and 17 were rejected under 35 USC § 103(a) as being unpatentable over Belanger et al. in view of US 6892904 B2 (Osborn et al.). Applicant traverses this rejection.

The Examiner's attention is directed to the discussion below under the heading PRIOR ART REJECTION V. Claims 16 and 17 depend from amended claim 10, which Applicant has shown to be patentable over the disclosures in Belanger et al. and Feldman applied by the Examiner.

The Examiner acknowledges that Belanger et al. "doesn't disclose an adhesive fluid dispensing device, wherein the ram is assigned a pistol-type and pliers-type handle." The Examiner adds, "Osborn et al. discloses a pistol-type and pliers-type handle (220)," and concludes, "It would have been obvious to one of ordinary skill in the art to implement a pistol-type or pliers-type handle because this will provide the user better control when dispensing the contained fluid as well as comfort and less force needed to drive the ram."

Without acquiescing in the Examiner's proposal to combine the disclosures in Belanger et al. and Osborn et al., Applicant observes that there are no teachings in Osborn et al. that can remedy deficiencies in the Belanger et al. and Feldman disclosures vis-à-vis the requirements of amended parent claim 10, as pointed out above. Consequently, no combination of the teachings in Belanger et al. and Osborn et al. could yield a dispensing device meeting the requirements of claims 16 and 17.

In view of the foregoing observations, Applicant requests that this rejection be withdrawn.

PRIOR ART REJECTION V

Claims 18, 19 and 20 were rejected under 35 USC § 103(a) as being unpatentable over Belanger et al. in view of US 4067481 (Feldman et al.). Applicant traverses this rejection insofar as it might be deemed applicable to claims 10, 11, 15, 20 and 21 as now presented.

As noted above, claims 18 and 19 have been canceled, and the subject matter that was recited in claims 18 and 19 has been incorporated into amended claim 10.

As shown in Fig. 2 of Belanger et al., PTC heater 10 is positioned below cartridge 6 containing hot melt material 8. Accordingly, in the Belanger et al. dispenser, there is no cartridge heater that is arranged around the adhesive fluid cartridge (or the adhesive itself) "to heat the content of the adhesive fluid cartridge from diametrically opposite sides."

The Examiner acknowledges that Belanger et al. does not "disclose an adhesive fluid dispensing device, wherein the heating cartridge is arranged around the cartridge." The Examiner cites Feldman for its disclosure of "a heating cartridge (10) that is arranged around the cartridge" and contends that "It would have been obvious to implement a heating cartridge that is arranged around the cartridge."

If the Examiner's proposal were implemented, the Belanger et al. dispenser would undergo a gross reconstruction, and the resulting dispenser would not be recognizable as a dispenser constructed according to clear teachings in the Belanger et al. patent. Feldman discloses a dispensing gun with a heating element surrounding a cartridge of extrudable material. Feldman does not, however, offer teachings that would make obvious a modification of the Belanger et al. dispenser that would, in effect, lay waste to clear teachings in the Belanger et al. patent. Such a reconstruction of the Belanger et al. dispenser cannot be reasonably regarded as made obvious by teachings in Feldman.

In view of the foregoing observations, Applicant submits that no reasonable combination of the disclosures in Belanger et al. and Feldman can properly serve as a basis for rejecting claims 10, 11, 15, 20 and 21, as now presented, under 35 USC § 103(a). Accordingly, Applicant requests that this rejection be withdrawn.

ALLOWABILITY OF NEW CLAIM

Support for the subject matter recited in new claim 22 can be found in the specification (English translation) as filed on page 3, lines 14-25. Claim 22 is allowable at least because of its dependence from claim 15, which Applicant has shown to be allowable. In addition, claim 22 recites an advantageous attribute of the adhesive fluid dispensing device that is not taught or made obvious by teachings in any of the prior art applied by the Examiner.

OTHER PRIOR ART

Applicant has considered the other prior art cited by the Examiner. Applicant is not commenting on this prior art, because it was not applied against claims in this application.

CONCLUSION

In view of the amendments, observations and arguments presented herein, Applicant respectfully requests that the Examiner reconsider and withdraw the objections and rejections stated in the outstanding Office Action and recognize all of the pending claims as allowable.

If unresolved matters remain in this application, the Examiner is invited to contact Frederick R. Handren, Reg. No. 32,874, at the telephone number provided below, so that these matters can be addressed and resolved expeditiously.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17, particularly, extension of time fees.

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